

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

**WEDNESDAY, THE SEVENTH DAY OF JANUARY,
TWO THOUSAND AND TWENTY SIX**

: PRESENT:

HONOURABLE SRI JUSTICE B V L N CHAKRAVARTHI

IA No. 1 OF 2025

IN

CRLA NO: 872 OF 2025



Between:

Savirigana Suryanarayana, S/o. Late Chinna Appalanarayana, Aged 45 years, R/o. Bondapalli Village, Garividi Mandal, Vizianagarm District.

...Petitioner/Appellant

AND

1. The State of Andhra Pradesh, Rep. by Public Prosecutor, High Court of AP at Amaravati Through SHO, Garividi PS Vizianagaram District, AP.
2. VICTIM

...Respondent

Counsel for Petitioner :DEVARAYALU B M

Counsel for Respondent No.1 :PUBLIC PROSECUTOR

Petition under Section 430(1) of BNSS ACT, is filed praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to enlarge the petitioner on bail by suspending the sentence and conviction imposed by the Judgement, dated 24-11-2025 passed in Sessions Case No.51/2024 on the file of the Special Judge for Trail of Offences Against Women Cum V Addl. District And Sessions Judge Vizianagaram, pending disposal of CRLA No. 872 of 2025, on the file of the High Court.

The court while directing issue of notice to the Respondents herein to show cause as to why this application should not be complied with, made the

following order.(The receipt of this order will be deemed to be the receipt of notice in the case)

ORDER:

“Heard Sri Devarayalu B.M., learned counsel for the petitioner/appellant/convict and learned Additional Public Prosecutor representing the State.

Petitioner is the accused in S.C.No.51 of 2024 on the file of the learned Special Judge for Trial of offences against Women cum-V Additional District and Sessions Judge, Vizianagaram.

Learned counsel for the petitioner/appellant would submit that petitioner/convict was found guilty for the offence under section 376(1) of IPC. Accordingly, he was convicted U/s.235(2) Cr.P.C. and sentenced to undergo rigorous imprisonment for a period of twelve (12) years and to pay fine of Rs.2,000/- (Rupees Two Thousand only) in default, shall undergo simple imprisonment for a period of one (01) month for the offence under Section 376(1) of IPC.

The learned counsel for the petitioner/appellant would submit that the learned trial Court erroneously convicted the petitioner without appreciating the facts in proper perspective. Hence, the petitioner preferred the appeal, challenging the judgment on various grounds. He would further submit that the sentence imposed by the learned trial Court is a fixed sentence for a period of twelve (12) years, and there are fair chances to succeed in the appeal, and there is no possibility of hearing the appeal in the near future. He would further submit that the petitioner was lodged in Central Jail, Visakhapatnam, the order of sentence imposed by the trial Court may be suspended, pending disposal of the appeal.

Learned counsel for the petitioner/appellant would further submit that the petitioner paid the fine amount and filed original receipt along with the appeal grounds.

Learned Additional Public Prosecutor opposed the application. However, no written objections filed. He fairly conceded that the petitioner was on bail during trial and before.

Considering the above facts and circumstances, and as the sentence imposed by the trial Court is a fixed sentence of twelve (12) years and as there is no possibility of hearing the appeal in the near future, this Court is of the considered opinion that *"the order of sentence of imprisonment alone imposed by the learned Special Judge for Trial of offences against Women-cum-V Additional District and Sessions Judge, Vizianagaram, Vide judgment dated 24.11.2025 in S.C.No.51 of 2024 shall be suspended, subject to the following conditions"*:

- i) The petitioner/appellant shall be enlarged on bail, on executing a personal bond for Rs.25,000/- (Rupees Twenty Five Thousand only), with two (02) sureties for a like sum each, to the satisfaction of the learned trial Court.
- ii) On release, the petitioner / appellant shall appear before the learned trial Court, on every fourth Saturday of the month, till disposal of the Appeal.
- iii) The petitioner/appellant shall not leave the country without permission of the Court.
- iv) The petitioner/appellant shall not intimidate or annoy the victim or her family members in any manner.
- v) If the petitioner/appellant violates any of the above conditions, the prosecution is at liberty to file an application seeking cancellation of the bail.

Accordingly, the application is ordered."

//TRUE COPY//

SD/-B.CHITTI JOSEPH
DEPUTY REGISTRAR

SECTION OFFICER

To,

1. The Special Judge for Trial of offences against Women-cum-V Additional District and Sessions Judge, Vizianagaram.
2. The Superintendent, Central Jail, Visakhapatnam.
3. The Station House Officer, Garividi Police Station, Vizianagaram District.
4. One CC to Sri Devarayalu B M, Advocate [OPUC]
5. Two CCs to Public Prosecutor, High Court of AP, Amaravati. [OUT]
6. One spare copy.

PSD

HIGH COURT

BVLNC,J

DATE:07/01/2026

ORDER

I.A.NO.1 OF 2025

IN

CRLA.No.872 of 2025

SUSPENSION

